

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

ALANA RENEE NOLEN- DAVIDSON,

Plaintiff,

Civil Action No. 4:20-cv-01085-P

COMMISSIONER, SOCIAL SECURITY ADMINISTRATION.

ss ss ss

Defendant.

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**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

United States Magistrate Judge Jeffrey L. Cureton made Findings, Conclusions, and a Recommendation (“FCR”) in this case. ECF No. 26. Plaintiff Alana Renee Nolen-Davidson (“Nolen-Davidson”) timely filed an objection to the FCR. ECF No. 27.

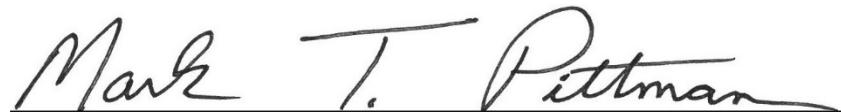
However, an objection that merely restates general arguments already presented to the magistrate judge is not specific. And failure to file specific written objections will bar the aggrieved party from appealing the factual findings and legal conclusions of the magistrate judge that are accepted or adopted by the district court, except upon grounds of plain error. *See Douglass v. United Services Auto. Ass'n*, 79 F.3d 1415, 1417 (5th Cir. 1996) (en banc).

Here, Nolen-Davidson’s objection does not contain specific objections; instead, it simply asserts more of the same arguments presented in her Brief and Reply in support of her Appeal from the Decision of the Commissioner of Social Security. *Compare* ECF Nos.

22, 25 with ECF No. 27. Accordingly, Judge Cureton has already considered these arguments, and the Court is “not obligated to address objections [which are merely recitations of the identical arguments made before the magistrate judge] because . . . such objections undermine the purpose of the Federal Magistrate’s Act, 28 U.S.C. § 636, which serves to reduce duplicative work and conserve judicial resources[.]” *Owens v. Comm’r of Soc. Sec.*, 1:13-47, 2013 WL 1304470, at *3 (W.D. Mich. Mar. 28, 2013) (emphasis in original); *see also Camardo v. Gen. Motors Hourly-Rate Emps. Pension Plan*, 806 F. Supp. 380, 382 (W.D. N.Y. 1992) (holding recitations of nearly identical arguments are insufficient as objections and constitute an improper “second bite at the apple”).

Nevertheless, the District Judge conducted a review of the purported objections in accordance with 28 U.S.C. § 636(b)(1). And having conducted a *de novo* review of the FCR, record, and objections, the undersigned District Judge believes that the Findings and Conclusions of the Magistrate Judge are correct. Accordingly, Nolen-Davidson’s Objection is hereby **OVERRULED**. Judge Cureton’s recommendation is hereby **ADOPTED**, the Social Security Commissioner’s final decision is **AFFIRMED**, and this action is **DISMISSED**.

SO ORDERED on this **30th** day of **September, 2021**.



Mark T. Pittman
UNITED STATES DISTRICT JUDGE